

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, CALLING A SPECIAL ELECTION FOR THE SUBMISSION OF A CHARTER AMENDMENT, TO BE HELD WITHIN THE CITY ON MAY 9, 2009, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS INCIDENT AND RELATED TO THE PURPOSE OF THIS ORDINANCE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That pursuant to the Texas Election Code, as amended, a special election will be held on Saturday, May 9, 2009 in the City of El Paso for the purpose of submitting the following amendments to the Charter of the City of El Paso (propositions) to the qualified voters and official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote for, or against, the proposed amendments with the ballots to contain such provisions, markings, and language required by law, and with such propositions to be expressed substantially as follows:

**AMENDMENT NO. 1**

Text of Amendment

Amending the Charter of the City of El Paso to amend Article III, The City Council, to add Section 3.20, Drainage Utility System, to read as follows:

Section 3.20 DRAINAGE UTILITY SYSTEM.

Within 60 days of the adoption of this Section, the Council shall adopt an ordinance to transfer the management and control of the drainage utility system from the Public Service Board to the City Council.

Ballot Proposition No. 1

FOR           ( ) Shall Section 3.20 of the El Paso City Charter be added, relating to the operation of a storm water drainage utility system; to require the City Council to adopt an ordinance to transfer the management and control of such system from the Public Service Board to the City Council?

AGAINST ( )

2. That such election shall be held at the precincts and the polling places designated in Exhibit "A" or such other locations as may be designated prior to the election by the City Council, attached hereto and made a part hereof for all purposes, and said polling places shall open at 7 a.m. and remain open until 7 p.m. on the day of the election.

3. That Richarda Duffy Momsen, the City Clerk of the City of El Paso, shall be the clerk for early voting, and Javier Chacon, County Elections Administrator, shall be the deputy clerk for early voting for said City election. The County Courthouse, 500 E. San Antonio, is hereby designated as the main early voting polling place for such election. In addition, early voting may also occur at such branch early voting polling places as are designated by the County Elections Department and posted at city hall by the City Clerk. The hours for early voting by personal appearance shall be authorized for such election as follows:

Regular Dates and Hours for Early Voting by Personal Appearance:

April 27 – May 1 (Mon-Fri)

Hours for the County Courthouse: 8:00 a.m – 5:00 p.m.

Hours for other designated early voting locations: 9:00 a.m. – 6:00 p.m.

May 4 and 5 (Mon-Tues)

Hours for all early voting locations: 7:00 a.m.- 7:00 p.m.

There shall be no dates and hours of any Saturday or Sunday early voting by personal appearance. In addition, any locations, including mobile voting stations that might be later identified or more clearly identified by the County Elections Department for inclusion or deletion, and their respective hours for early voting by personal appearance, shall be authorized for such election.

Applications for early voting by mail shall be submitted to the Early Voting Clerk no earlier than March 10, 2009 and no later than the close of business on May 1, 2009, at the following address:

Mr. Javier Chacon  
Deputy Early Voting Clerk  
500 E. San Antonio, Room 402  
El Paso, Texas 79901

5. A special canvassing board shall be appointed by the Mayor as provided by law, to count and canvass all early votes and ballots cast at said election.

6. That electronic voting machines shall be used for voting at the regular polling places in such election, and for the casting of early ballots by persons voting early by personal appearance and by mail.

7. That such election shall be held in the manner and form prescribed by the laws of the State of Texas, and at such election all qualified voters in the City are authorized to vote.

8. That by approving and signing this resolution, the Mayor officially confirms as his action all matters recited herein which by law come within his jurisdiction.

9. A substantial copy of this resolution shall serve as proper notice of said election.

10. The City Clerk shall give notice of such election by posting a notice of such election in English and Spanish in the Office of the City Clerk as provided by law and by

publishing a copy of said notice in both English and Spanish in the official newspaper of the City as required by law.

ADOPTED this \_\_\_\_\_ day of December 2008.

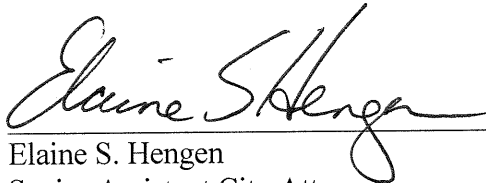
CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

  
\_\_\_\_\_  
Elaine S. Hengen  
Senior Assistant City Attorney

CITY CLERK DEPT.  
08 DEC 11 AM 11:01

**EXHIBIT A**

**ELECTION PRECINCTS AND POLLING PLACES**

**General election and submission of Charter Amendments, May 12, 2007**